

**Fire Safety Code Board
Of Appeal and Review
Hearing Minutes September 27, 2011**

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, September 27, 2011 at 1:00 P.M. Present were Chairman Newbrook and Commissioners Dias, Walker, Jasparro, Sylvester, Blackburn, Jackson, Burlingame and Richard. Vice Chairperson Filippi and Commissioner Pearson were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella.

The following cases were heard.

Mr. Timothy LaRose, P.E. of Hughes Associates, on behalf of the University of Rhode Island, Kingston Campus, with a plan of action for the following:

- APPEAL #110140 2 Butterfield Road (Adams Hall)**
- APPEAL #110141 20 Butterfield Road (Coddington Hall)**
- APPEAL #110142Z 1 Butterfield Road (Butterfield Hall)**
- APPEAL #110142 55 West Alumni Ave. (Burnside Hall)**
- APPEAL #110143 4 Butterfield Road (Browning Hall)**
- APPEAL #110144 1 Baird Hill Road (Bressler Hall)**
- APPEAL #110145 4 Baird Hill Road (Barlow Hall)**

APPEAL #110146 22 Butterfield Road (Aldrich Hall)

APPEAL #110147 10 Complex Road (Dorr Hall)

APPEAL #110148 2 Complex Road (Eddy Hall)

APPEAL #110149 2 Complex Road (Ellery Hall)

APPEAL #110150 4 Complex Road (Fayerweather Hall)

APPEAL #110151 170 Flagg Road (Garrahy Hall)

APPEAL #110152 1 Faculty Circle (Gateway Apartments)

APPEAL #110153 6 Complex Road (Gorham Hall)

APPEAL #110154 11 Heathman Road (Heathman Hall)

APPEAL #110155 14 Butterfield Road (Hopkins Hall)

APPEAL #110156 5 Farm House Road (Hutchinson Hall)

APPEAL #110157 37 Lower College Rd (International House)

APPEAL #110158 23 Butterfield Road (Morrow Hall)

APPEAL #110159 7 Butterfield Road (Peck Hall)

APPEAL #110160 401 Victory Hwy (Sycamore Lodge) (W.Greenwich)

APPEAL #110161 3 Farm House Road (Tucker Hall)

APPEAL #110162 2900 Kingstown Rd (University Village Apts)

APPEAL #110163 10 Baird Hill Road (Weldin Hall)

APPEAL #110164 401 Victory Hwy (Whispering Pines) (W. Greenwich)

APPEAL #110165 180 Flagg Road (Wiley Hall)

APPEAL #110166 15 Lippitt Road (Carothers Library)

APPEAL #110167 10 Chafee Road (Chafee Hall)

APPEAL #110168 64 Upper College Rd (Edwards Hall)

APPEAL #110169 105 Upper College Rd(Fine Arts Center)

APPEAL #110170 3 Keaney Road (Keaney Gym)

APPEAL #110171 3 Keaney Road (Mackal Fieldhouse)

APPEAL #110172 50 Lower College Rd (Memorial Union)

APPEAL #110173 3 Keaney Road (Tootell Center)

APPEAL #110174 95 Upper College Rd (University Club)

Commissioner Blackburn recused himself from consideration of this case. Chief of Inspections Scott Caron, Chief of Plans Review Wade Palazini and Deputy State Fire Marshal Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Walker, to approve the Applicant's plan of action for the above named facilities. The motion was unanimous.

APPEAL #110202: Mr. Eugene Arganese, for the property located at 149 Atlantic Avenue in Westerly. Deputy State Fire Marshals Cynthia Dehler and Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jackson, to approve the proposed special amusement at the above location, for the dates and times outlined at the hearing, with the provisions stipulated by the State and Misquamicut Fire Marshals' offices. The motion passed over the opposition vote of Commissioner Burlingame.

APPEAL #090381: Mr. Saliba M. Saliba, for the property located at 2951 Hartford Avenue in Johnston. Assistant Deputy State Fire Marshals Moore and Matarese appeared for the Johnston Fire Marshal's Office. Commissioner Burlingame made a motion,

seconded by Commissioners Jackson and Jasparro, to grant the Applicant a time variance of thirty (30) days in which to submit plans to the Johnston Fire Marshal's Office for the correction of the outstanding deficiencies in that facility, and an additional 120 days in which to implement that plan. The Johnston Fire Marshal's Office has the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #110203: Mr. John Giogianni, for the property located at 344 Broadway, Newport. ADSFM Kevin Garcia appeared for the Newport Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Burlingame, to grant the Applicant the following relief. The Applicant is directed to install code compliant fire extinguishers within fifteen (15) days. The Applicant is granted a time variance of thirty (30) days in which to submit plans to the Newport Fire Marshals' Office for the correction of all other outstanding deficiencies within this facility, and an additional 150 days in which to implement that plan. The Newport Fire Marshal's Office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #100319A: Mr. James R. Jahnz, for the property located at 239 Public Street in Providence. Assistant Deputy State Fire Marshals Richard Vespia and Timothy Lutz appeared for the Providence Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Jasparro, to extend by one year

the previously granted variance for this emergency shelter, until April of 2012, to allow for up to 35 persons. Prior to re-opening this emergency shelter in October of 2012, the Applicant is directed to bring the fire alarm of this facility into compliance with the fire alarm provisions of the code. The motion was unanimous.

APPEAL #110199: Mr. Patrick Brannon, for the property located at 110 Graham Drive in Slatersville (Building 1). Assistant Deputy State Fire Marshal Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Blackburn made a motion, seconded by Commissioner Burlingame, to grant the Applicant a time variance, until August 1, 2012, in which to replace the cited sprinkler heads. The motion was unanimous.

APPEAL #110200: Mr. Patrick Brannon, for the property located at 110 Graham Drive in Slatersville (Building 2). Assistant Deputy State Fire Marshal Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Marshal Gartland testified that Building 2 has been brought into compliance. Commissioner Walker made a motion, seconded by Commissioner Dias, to close this file. The motion was unanimous.

APPEAL #040373A: Mr. Peter J. Casale, for the property located at 500 Angell Street in Providence. ADSFM Joseph Michalczyk appeared for the Providence Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Walker, to

reinstate the previously granted variance and directed the Applicant to submit the requested hydraulic calculations to the Providence Fire Marshal's Office within thirty (30) days. The Applicant is granted an additional 120 days in which to do the required work, and the Providence Fire Marshal's Office is granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant. The motion passed with Commissioner Burlingame opposing and Commissioner Blackburn abstaining. This file is to remain open until the issuance of the final CO.

APPEAL #110201: Mr. Peter Casale, for the property located at 150 Washington Street in Providence. Assistant Deputy State Fire Marshals Vespia and Lutz appeared for the Providence Fire Marshal's Office. Commissioner Jasparro made a motion, seconded by Commissioner Sylvester, to grant the Applicant a time variance until September 1, 2012, in which to provide sprinklers in this facility. The Applicant is further granted a variance, based on structural hardship and in light of the installation of sprinklers, for the minimum corridor width violations. The Providence Fire Marshal's Office is granted the authority to extend the above deadline for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

Respectfully submitted

Carol Marsella